

RESOLUTION NO. 14-156

A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND SUPPLEMENTAL LEASE AMONG THE CITY OF WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS AND THE WICHITA PUBLIC BUILDING COMMISSION.

WHEREAS, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, pursuant to the authority of K.S.A. 12-1757, *et seq.*, as amended by and chartered from with substitute provisions under Charter Ordinances 107, 149 and 162 of the City, and K.S.A. 10-116a (collectively, the "Act"), the Wichita Public Building Commission, a municipal corporation of the State of Kansas (the "WPBC") has heretofore, as landlord, entered into a Lease Agreement with the City and the Board of Commissioners of Sedgwick County, Kansas, a municipal corporation of the State of Kansas (the "County") as tenants (collectively, the "Tenants"), dated as of March 1, 1993, as subsequently amended by a First Supplemental Lease Agreement between the WPBC and the Tenants, dated as of July 1, 2003 (collectively, the "Lease"); and

WHEREAS, the WPBC has agreed with the State of Kansas (the "State") to extend the term of that certain separate Lease Agreement dated November 12, 1992, by and between the WPBC, as landlord and the State, as tenant (the "State Lease") to June 30, 2015, with provision for possible month-to-month renewals by the State thereafter until December 31, 2015; and

WHEREAS, the WPBC and the Tenants desire to extend the term of the Lease to December 31, 2015 to conform to the State Lease and make certain other modifications and amendments thereto; and

WHEREAS, the Governing Body hereby finds and determines that it is necessary and advisable authorize the execution of an amendment to the Lease in accordance with the foregoing.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Approval of Second Amendment to Lease. The Second Supplemental Lease Agreement, among the City and County, as tenants, and the WPBC, as landlord (the "Second Amendment") is hereby approved. The Mayor and Clerk are hereby authorized and directed to execute the Second Amendment in substantially the form presented to the Governing Body this date with such modifications thereto as may be approved by the City Attorney.

Section 2. Further Authority. The Mayor, Clerk, City Manager and other representatives of the City are hereby authorized to take such further action as may be necessary to accomplish the intent of this Resolution.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, on June 10, 2014.

(SEAL)

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Gary E. Rebenstorf, Director of Law